



STATE OF HAWAII  
DEPARTMENT OF HEALTH  
KA 'OIHANA OLAKINO  
P. O. BOX 3378  
HONOLULU, HI 96801-3378  
September 19, 2024

In reply, please refer to:  
File:

MEMORANDUM

TO: Developmental Disabilities Division

FROM: Kenneth S. Fink, MD, MGA, MPH *Kenneth Fink*  
Director of Health

SUBJECT: DOH Administrative Directive

The purpose of this memorandum is to clarify that the statutory definition of “developmental disabilities” as stated in Hawaii Revised Statutes (HRS) § 333F-1 will be used by the Developmental Disabilities Division in making eligibility decisions effective immediately. Sections of Chapter 88.1 of Title 11 of the Hawaii Administrative Rules that may conflict with the HRS § 333F-1 definition of “developmental disabilities” shall be interpreted in a manner that aligns with the statutory definition or shall be disregarded. This decision will remain in effect until such time that the statute or rules might be amended.

HRS § 333F-1 defines “developmental disabilities” to mean a severe, chronic disability of a person which:

- (1) Is attributable to a mental or physical impairment or combination of mental and physical impairments;
- (2) Is manifested before the person attains age twenty-two;
- (3) Is likely to continue indefinitely;
- (4) Results in substantial functional limitations in three or more of the following areas of major life activity: self-care, receptive and expressive language, learning, mobility, self-direction, capacity for independent living, and economic sufficiency; and
- (5) Reflects the person's need for a combination and sequence of special, interdisciplinary, or generic care, treatment, or other services that are of lifelong or extended duration and are individually planned and coordinated.

An individual from birth to age nine who has a substantial developmental delay or specific congenital or acquired condition may be considered to have a developmental disability without meeting three or more of the criteria described above, if the individual, without services and supports, has a high probability of meeting those criteria later in life.

DOH Administrative Directive  
September 19, 2024  
Page 2 of 2

If you have any questions about this matter, please contact Mary Brogan, DDD Administrator, at [mary.brogan@doh.hawaii.gov](mailto:mary.brogan@doh.hawaii.gov)

C: Med-QUEST Division Administrator  
State Council on Developmental Disabilities Administrator